

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

OLEG ILYAYEV,)	CASE NO. 1:06 cv 1930
)	
)	
Plaintiff(s),)	
)	
v.)	
)	
)	
BENNIE KELLY, WARDEN)	
)	
Defendant(s).)	<u>J U D G M E N T</u>

The Court has filed its Memorandum of Opinion and Order in the above-captioned matter. The Court finds that an appeal from this decision could not be taken in good faith. 28 U.S.C § 1915(a)(3). Since Petitioner has not made a substantial showing of a denial of a constitutional right directly related to his conviction or custody the Court declines to issue a certificate of appealability 28 U.S.C. § 2253(c)(2). Fed.R.App.P.22(b).

IT IS SO ORDERED.

February 7, 2008

S/Christopher A.Boyko
HONORABLE CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE